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**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
 P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	08/572,719
Filing Date	DECEMBER 14, 1995
First Named Inventor	HIROSHI HAYASHINO
Art Unit	2731
Examiner Name	ALPUS HSU
Attorney Docket Number	1413-FP0101 (62915)

Enclosed is a petition filed under 37 CFR 1.59 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 200 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17f.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 01-0484:  
☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**


For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

  
 Signature

PAUL J. DITMYER

Typed or printed name

MARCH 18, 2013

Date

40,455

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 5,682,376 )  
HIROSHI HAYASHINO ET AL. )  
 ) Attorney Docket No.  
Issued: 10/28/1997 ) 1413-FP0101 (62915)  
 )  
Application No. 08/572,719 ) Art Unit: 2731  
 )  
Confirmation No. 4430 ) Examiner: A. HSU  
 )  
Filing Date: 12/14/1995 )  
 )  
For: METHOD OF TRANSMITTING )  
ORTHOGONAL FREQUENCY DIVISION )  
MULTIPLEX SIGNAL, AND )  
TRANSMITTER AND RECEIVER )  
EMPLOYED THEREFOR )  
 )

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PETITION FOR EXPUNGEMENT  
OF ASSIGNMENT RECORDS UNDER 37 CFR §1.59  
TO REMOVE COPY OF PAPERS

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with 37 CFR § 1.59, expungement of erroneously submitted papers submitted via the Electronic Patent Assignment System (EPAS) is requested to correct the Assignment Recordation for the above identified patent (and for forty-six additional U.S. Patents and/or applications listed on the attached Notice of Recordation 502254192). Further remarks in favor of grant of the request are set forth below.

I. REQUIREMENTS

The present petition complies with the five (5) general requirements as such petition is: in writing; includes a statement of facts (below); is accompanied by the fee of \$200

(paid by credit card via EFS-WEB); is timely (within two-months of the erroneous recordation); and complies with the specific requirements as provided by USPTO policy set forth in MPEP §323.01(d) that the normal corrective procedures outlined in MPEP §323.01(a) through §323.01(c) WILL NOT provide adequate relief, and the integrity of the assignment records WILL NOT be affected by granting the petition, as is discussed below.

## **II. STATEMENT OF FACTS**

On March 5, 2013, Assignee's representative inadvertently uploaded the wrong document via the Electronic Patent Assignment System (EPAS) while attempting to record an assignment.

The wrong uploaded document is a thirty-five (35) page confidential agreement between three (3) parties including the Assignor and Assignee of the actual assignment that was intended to be recorded. Such 35 page confidential document does include the three (3) pages that were only intended to be uploaded (pages 22, 23 and 28 therein).

The normal corrective procedures outlined in MPEP §323.01(a) through §323.01(c) WILL NOT provide adequate relief because such sections only provide for the correction of typographical errors or improper recording by another. Such procedures do not provide for the removal of a confidential document from the records or the deletion of links to the relevant patents and applications in the Assignment Historical Database.

The integrity of the assignment records WILL NOT be affected by granting the petition because the Assignee will file and record the correct 3-page assignment document for all 47

Patent No. 5,682,376  
Issued: 10/28/1997  
Serial No. 08/572,719  
Filing Date: December 14, 1995

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patents and applications as a condition of granting this requested petition.

### III. REMARKS

The Reel and Frame number of the erroneous recordation is purposefully not indicated in this petition as such may subvert the intended goal of removing any connection between the patents and applications in the event that the 35 page confidential document cannot be removed from the records.

Petitioner has fulfilled the requirements and urgently requests expungement of such erroneously submitted papers submitted via EPAS to correct the Assignment Recordation for the above identified patent (and the forty-six additional U.S. Patents and/or applications listed on the attached Notice of Recordation 502254192). A copy of the Notice of Recordation, with the Reel and Frame number redacted, is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
PAUL J. DITMYER  
Reg. No. 40,455  
Allen, Dyer, Doppelt, Milbrath &  
Gilchrist, P.A.  
255 S. Orange Avenue, Suite 1401  
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Orlando, Florida 32802  
Telephone: 407/841-2330  
Fax: 407/841-2343  
Attorney for Petitioner



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 8, 2013

PTAS

CHRISTOPHER F. REGAN  
255 S. ORANGE AVENUE  
SUITE 1401  
ORLANDO, FL 32801

**502254192**

### UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT RECORDATION BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE ASSIGNMENT RECORDATION BRANCH AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT RECORDATION BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 03/05/2013

REEL/FRAME:  
NUMBER OF PAGES: 35

BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

DOCKET NUMBER: HARPAN (62900)

ASSIGNOR:

PANASONIC CORPORATION

DOC DATE: 02/18/2013

ASSIGNEE:

HARRIS CORPORATION  
1025 WEST NASA BLVD.  
MELBOURNE, FLORIDA 32919

APPLICATION NUMBER: 08572719

FILING DATE: 12/14/1995

PATENT NUMBER: 5682376

ISSUE DATE: 10/28/1997

TITLE: METHOD OF TRANSMITTING ORTHOGONAL FREQUENCY DIVISION MULTIPLEX SIGNAL, AND TRANSMITTER AND RECEIVER EMPLOYED THEREFOR

APPLICATION NUMBER: 09482892

FILING DATE: 01/14/2000

PATENT NUMBER: 6608868

ISSUE DATE: 08/19/2003

TITLE: APPARATUS AND METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 09978662

FILING DATE: 10/18/2001

PATENT NUMBER: 7023933

ISSUE DATE: 04/04/2006

TITLE: RADIO COMMUNICATION APPARATUS

APPLICATION NUMBER: 10069375  
PATENT NUMBER: 6889041  
TITLE: MOBILE COMMUNICATION SYSTEM

FILING DATE: 02/25/2002  
ISSUE DATE: 05/03/2005

APPLICATION NUMBER: 10427992  
PATENT NUMBER: 6748023  
TITLE: APPARATUS AND METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

FILING DATE: 05/02/2003  
ISSUE DATE: 06/08/2004

APPLICATION NUMBER: 10445808  
PATENT NUMBER: 6738430  
TITLE: APPARATUS AND METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

FILING DATE: 05/28/2003  
ISSUE DATE: 05/18/2004

APPLICATION NUMBER: 10481451  
PATENT NUMBER: 7903606  
TITLE: RADIO COMMUNICATION APPARATUS EMPLOYING NON-TRANSMISSION  
INFORMATION INDICATIVE OF NOT TRANSMITTING TRANSMISSION DATA  
WHEN TRANSMISSION DATA IS NOT SENT CORRESPONDING TO A QUALITY  
INDICATION SIGNAL OR WHEN THE TRANSMISSION DATA CANNOT BE  
TRANSMITTED TO THE COMMUNICATING STATION

FILING DATE: 12/19/2003  
ISSUE DATE: 03/08/2011

APPLICATION NUMBER: 10485115  
PATENT NUMBER: 7724638  
TITLE: TRANSMISSION DEVICE, RECEPTION DEVICE AND RADIO COMMUNICATION  
METHOD

FILING DATE: 02/04/2004  
ISSUE DATE: 05/25/2010

APPLICATION NUMBER: 10486916  
PATENT NUMBER: 7420915  
TITLE: RADIO COMMUNICATIONS APPARATUS AND RADIO COMMUNICATIONS METHOD

FILING DATE: 02/23/2004  
ISSUE DATE: 09/02/2008

APPLICATION NUMBER: 10516936  
PATENT NUMBER: 7206606  
TITLE: WIRELESS COMMUNICATION INCLUDING DIVERSITY TRANSMISSION AND  
RECEPTION

FILING DATE: 12/14/2004  
ISSUE DATE: 04/17/2007

APPLICATION NUMBER: 10564089  
PATENT NUMBER: 7308052  
TITLE: RADIO TRANSMITTER APPARATUS AND MODULATION SCHEME SELECTING  
METHOD

FILING DATE: 02/09/2006  
ISSUE DATE: 12/11/2007

APPLICATION NUMBER: 10566682  
PATENT NUMBER: 7324481  
TITLE: RADIO TRANSMITTING APPARATUS AND RADIO TRANSMISSION METHOD

FILING DATE: 03/14/2006  
ISSUE DATE: 01/29/2008

APPLICATION NUMBER: 10579745  
PATENT NUMBER: 7864903  
TITLE: MULTI-ANTENNA RECEPTION APPARATUS, MULTI-ANTENNA RECEPTION  
METHOD, MULTI-ANTENNA TRANSMISSION APPARATUS AND MULTI-ANTENNA  
COMMUNICATION SYSTEM

FILING DATE: 06/13/2006  
ISSUE DATE: 01/04/2011

APPLICATION NUMBER: 10586970  
PATENT NUMBER: 8064897  
TITLE: TRANSMITTING/RECEIVING APPARATUS AND TRANSMITTING/RECEIVING  
METHOD

FILING DATE: 07/25/2006  
ISSUE DATE: 11/22/2011

APPLICATION NUMBER: 10704653  
PATENT NUMBER: 7280840  
TITLE: RECEIVING APPARATUS, TRANSMITTING APPARATUS, AND RECEPTION  
METHOD

FILING DATE: 11/12/2003  
ISSUE DATE: 10/09/2007

APPLICATION NUMBER: 10781839 FILING DATE: 02/20/2004  
 PATENT NUMBER: 7359454 ISSUE DATE: 04/15/2008  
 TITLE: APPARATUS AND METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 11049728 FILING DATE: 02/04/2005  
 PATENT NUMBER: 7573838 ISSUE DATE: 08/11/2009  
 TITLE: MOBILE COMMUNICATION SYSTEM

APPLICATION NUMBER: 11336956 FILING DATE: 01/23/2006  
 PATENT NUMBER: 7738590 ISSUE DATE: 06/15/2010  
 TITLE: RADIO COMMUNICATION APPARATUS CAPABLE OF SWITCHING MODULATION SCHEMES

APPLICATION NUMBER: 11613245 FILING DATE: 12/20/2006  
 PATENT NUMBER: 8285332 ISSUE DATE: 10/09/2012  
 TITLE: COMMUNICATION METHOD, TRANSMISSION APPARATUS AND RECEPTION APPARATUS

APPLICATION NUMBER: 11831383 FILING DATE: 07/31/2007  
 PATENT NUMBER: 7492833 ISSUE DATE: 02/17/2009  
 TITLE: METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 11835906 FILING DATE: 08/08/2007  
 PATENT NUMBER: 8064945 ISSUE DATE: 11/22/2011  
 TITLE: BASE STATION, COMMUNICATION SYSTEM INCLUDING BASE STATION, AND TRANSMISSION METHOD

APPLICATION NUMBER: 11909404 FILING DATE: 09/21/2007  
 PATENT NUMBER: 7782821 ISSUE DATE: 08/24/2010  
 TITLE: MULTI-CARRIER COMMUNICATION DEVICE AND MULTI-CARRIER COMMUNICATION METHOD

APPLICATION NUMBER: 11912636 FILING DATE: 01/25/2008  
 PATENT NUMBER: 8320356 ISSUE DATE: 11/27/2012  
 TITLE: WIRELESS COMMUNICATION APPARATUS AND WIRELESS COMMUNICATION METHOD

APPLICATION NUMBER: 11925720 FILING DATE: 10/26/2007  
 PATENT NUMBER: 7848722 ISSUE DATE: 12/07/2010  
 TITLE: WIRELESS TRANSMISSION APPARATUS AND MODULATION SCHEME SELECTION METHOD

APPLICATION NUMBER: 11937422 FILING DATE: 11/08/2007  
 PATENT NUMBER: 7917102 ISSUE DATE: 03/29/2011  
 TITLE: RADIO TRANSMITTING APPARATUS AND RADIO TRANSMISSION METHOD

APPLICATION NUMBER: 12064610 FILING DATE: 02/22/2008  
 PATENT NUMBER: 7986612 ISSUE DATE: 07/26/2011  
 TITLE: COMMUNICATION TERMINAL APPARATUS, BASE STATION APPARATUS AND RECEPTION QUALITY REPORTING METHOD

APPLICATION NUMBER: 12140483 FILING DATE: 06/17/2008  
 PATENT NUMBER: 7630455 ISSUE DATE: 12/08/2009  
 TITLE: APPARATUS AND METHOD FOR DIGITAL WIRELESS COMMUNICATION

APPLICATION NUMBER: 12175532 FILING DATE: 07/18/2008  
 PATENT NUMBER: 7664011 ISSUE DATE: 02/16/2010  
 TITLE: WIRELESS COMMUNICATIONS APPARATUS AND WIRELESS COMMUNICATION METHOD

APPLICATION NUMBER: 12345297 FILING DATE: 12/29/2008  
PATENT NUMBER: 7711064 ISSUE DATE: 05/04/2010  
TITLE: METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 12495673 FILING DATE: 06/30/2009  
PATENT NUMBER: 7953029 ISSUE DATE: 05/31/2011  
TITLE: MOBILE COMMUNICATION SYSTEM WITH TRANSMISSION CONTROL OF DATA  
TRANSMISSION RATE REQUEST VALUE

APPLICATION NUMBER: 12724098 FILING DATE: 03/15/2010  
PATENT NUMBER: 7873124 ISSUE DATE: 01/18/2011  
TITLE: METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 12757509 FILING DATE: 04/09/2010  
PATENT NUMBER: 7953177 ISSUE DATE: 05/31/2011  
TITLE: RADIO COMMUNICATION APPARATUS CAPABLE OF SWITCHING MODULATION  
SCHEMES

APPLICATION NUMBER: 12767117 FILING DATE: 04/26/2010  
PATENT NUMBER: 8284650 ISSUE DATE: 10/09/2012  
TITLE: TRANSMISSION DEVICE, RECEPTION DEVICE AND RADIO COMMUNICATION  
METHOD

APPLICATION NUMBER: 12839238 FILING DATE: 07/19/2010  
PATENT NUMBER: 7978661 ISSUE DATE: 07/12/2011  
TITLE: MULTI-CARRIER COMMUNICATION DEVICE AND MULTI-CARRIER  
COMMUNICATION METHOD

APPLICATION NUMBER: 12917248 FILING DATE: 11/01/2010  
PATENT NUMBER: 8144799 ISSUE DATE: 03/27/2012  
TITLE: MULTI-ANTENNA RECEPTION APPARATUS, MULTI-ANTENNA RECEPTION  
METHOD, MULTI-ANTENNA TRANSMISSION APPARATUS AND MULTI-ANTENNA  
COMMUNICATION SYSTEM

APPLICATION NUMBER: 12938076 FILING DATE: 11/02/2010  
PATENT NUMBER: 8140037 ISSUE DATE: 03/20/2012  
TITLE: WIRELESS TRANSMISSION APPARATUS AND MODULATION SCHEME SELECTION  
METHOD

APPLICATION NUMBER: 12971564 FILING DATE: 12/17/2010  
PATENT NUMBER: 8098772 ISSUE DATE: 01/17/2012  
TITLE: METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 13016856 FILING DATE: 01/28/2011  
PATENT NUMBER: ISSUE DATE:  
TITLE: RADIO COMMUNICATION APPARATUS

APPLICATION NUMBER: 13023380 FILING DATE: 02/08/2011  
PATENT NUMBER: 8260228 ISSUE DATE: 09/04/2012  
TITLE: RADIO TRANSMITTING APPARATUS AND RADIO TRANSMISSION METHOD

APPLICATION NUMBER: 13090821 FILING DATE: 04/20/2011  
PATENT NUMBER: ISSUE DATE:  
TITLE: MOBILE COMMUNICATION SYSTEM

APPLICATION NUMBER: 13093301 FILING DATE: 04/25/2011  
PATENT NUMBER: 8218680 ISSUE DATE: 07/10/2012  
TITLE: RADIO COMMUNICATION APPARATUS CAPABLE OF SWITCHING MODULATION  
SCHEMES

APPLICATION NUMBER: 13324389                      FILING DATE: 12/13/2011  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: METHOD FOR DIGITAL WIRELESS COMMUNICATIONS

APPLICATION NUMBER: 13371162                      FILING DATE: 02/10/2012  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: WIRELESS COMMUNICATION APPARATUS AND WIRELESS COMMUNICATION  
METHOD

APPLICATION NUMBER: 13399848                      FILING DATE: 02/17/2012  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: INTERLEAVER, INTERLEAVING METHOD, TRANSMISSION APPARATUS, AND  
TRANSMITTING METHOD

APPLICATION NUMBER: 13486244                      FILING DATE: 06/01/2012  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: RADIO COMMUNICATION APPARATUS CAPABLE OF SWITCHING MODULATION  
SCHEMES

APPLICATION NUMBER: 13564465                      FILING DATE: 08/01/2012  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: RECEPTION METHOD AND RECEPTION APPARATUS

APPLICATION NUMBER: 13606327                      FILING DATE: 09/07/2012  
PATENT NUMBER:                                      ISSUE DATE:  
TITLE: TRANSMISSION DEVICE, RECEPTION DEVICE, AND RADIO COMMUNICATION  
METHOD

ASSIGNMENT RECORDATION BRANCH  
PUBLIC RECORDS DIVISION